

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

IN RE:

BAXLEY CORPORATION, LLC

DEBTOR

CASE NO:

22-00397-5-DMW

CHAPTER 7

NOTICE OF MOTION

NOTICE is hereby given of the Motion To Return Or Destroy Books And Records, filed simultaneously herewith by James Angell (“Trustee”), Chapter 7 Trustee in the above-captioned case requesting permission to offer the books and records, by service of the Motion, first to the Internal Revenue Service, then to the North Carolina Department of Revenue, then to the Debtor, or its attorney, and upon failure of any of those parties to accept the books and records within fifteen (15) days from the date of this Motion, the Trustee be authorized to destroy the books and records; and

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the Motion to Return or Destroy Books and Records, or if you want the court to consider your views on the motion, then on or before **July 25, 2025**, unless otherwise ordered, you or your attorney must file with the court, pursuant to Local Rule 9013-1 and 9014-1, a written response, an answer explaining your position, and a request for hearing.

The Court’s mailing address is at:

Clerk, U.S. Bankruptcy Court
Eastern District of North Carolina
PO Box 791
Raleigh, North Carolina 27602

If you mail your response to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to:

Brian C. Behr, Esquire Bankruptcy Administrator 434 Fayetteville Street, Suite 640 Raleigh, NC 27601	James B. Angell Chapter 7 Trustee P.O. Box 12347 Raleigh, NC 27605
---	---

Baxley Corporation, LLC 301 Fayetteville Street, Suite 1700 Raleigh, NC 27601	George M. Oliver Po Box 1548 New Bern, NC 28563
---	---

If a response and a request for hearing is filed in writing on or before the date set above, a hearing will be conducted on the motion at a date, time and place to be later set and all parties will be notified accordingly.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

DATED: July 8, 2025

s/James B. Angell
James Angell
State Bar No. 12844
PO Box 12347
Raleigh, NC 27605
Telephone: (919) 821-7700
Facsimile: (919) 821-7703

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

IN RE:

BAXLEY CORPORATION, LLC

DEBTOR

CASE NO:

22-00397-5-DMW

CHAPTER 7

MOTION TO RETURN OR DESTROY BOOKS AND RECORDS

NOW COMES James Angell (“Trustee”) Chapter 7 Trustee in the above captioned case and files this Motion to Return Books and Records, and in support thereof, respectfully shows the Court:

1. On February 23, 2022, Baxley Corporation, LLC filed a bankruptcy petition under Chapter 7 of the United States Bankruptcy Code, and James Angell was appointed Chapter 7 Trustee (“Trustee”).
2. The Trustee is in possession of the Debtor’s books and records from its former business operations.
3. The Trustee has no further need for said books and records and no useful purpose would be served to preserve the same any longer.

WHEREFORE, THE UNDERSIGNED Trustee requests permission to offer the books and records, by service of this Motion, first to the Internal Revenue Service, then to the North Carolina Department of Revenue, then to the Debtor, or its attorney, and upon failure of any of those parties to accept the books and records within fifteen (15) days from the date of this Motion, the Trustee be authorized to destroy the books and records.

DATED: July 8, 2025

s/James B. Angell

James Angell

State Bar No. 12844

PO Box 12347

Raleigh, NC 27605

Telephone: (919) 821-7700

jangell@howardstallings.com

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

IN RE:

BAXLEY CORPORATION, LLC

DEBTOR

CASE NO:

22-00397-5-DMW

CHAPTER 7

CERTIFICATE OF SERVICE

The undersigned hereby certifies under penalty of perjury that she is over eighteen (18) years of age and the **NOTICE OF AND MOTION TO RETURN OR DESTROY BOOKS AND RECORDS** was this day served upon the below named persons, parties and/or counsel by mailing, postage prepaid, first class mail, a copy of such instruments to such persons, parties and/or counsel at the address shown below or as indicated below:

Brian C. Behr, Esquire Bankruptcy Administrator <i>Served via cm/ecf and by email to Lesley_Dean@nceba.uscourts.gov</i>	George M. Oliver <i>Attorney for Debtor Attorney for Holmes P. Harden, Chapter 7 Trustee for Brandon Baxley Served via cm/ecf</i>
Baxley Corporation, LLC Attn: Holmes P. Harden, Trustee 301 Fayetteville Street, Suite 1700 Raleigh NC 27601	William Kroll James Hash Everett Gaskins Hancock, LLC Attorneys for Martha Baxley <i>Served via cm/ecf</i>
Internal Revenue Service Centralized Insolvency Operation P. O. Box 7346 Philadelphia, PA 19101-7346	North Carolina Department of Revenue Office Services Division Bankruptcy Unit P.O. Box 1168 Raleigh, NC 27602-1168
United States Attorney 150 Fayetteville Street, Suite 2100 Raleigh, NC 27601	Attorney General US Department of Justice 950 Pennsylvania Avenue, NW Washington DC 20530-0001

DATED: July 8, 2025

s/James B. Angell
James B. Angell
PO Box 12347
Raleigh, NC 27605
Telephone: (919) 821-7700
jangell@howardstallings.com